

Idaho Drug Courts & Mental Health Courts 2005

Report to Governor Dirk Kempthorne And the Second Regular Session of the 58th Idaho Legislature

DRUG COURT AND MENTAL HEALTH COURT GROWTH IN 2005

Idaho's first two drug courts were established at the end of 1998. After seven years of operation, Idaho now has 44 drug and mental health courts. Expanded Legislative support in 2005 provided funding to continue the mental health courts in Bonneville and Kootenai counties, and to add four new mental health courts, located in Ada, Clearwater, Twin Falls, and Bannock counties. New funding to the Department of Health and Welfare also provided eight additional mental health professionals for Assertive Community Treatment (ACT) Teams to deliver the necessary mental health services. In addition, a misdemeanor drug court was implemented to serve Butte and Custer counties.

NUMBERS SERVED

Throughout the past year, drug courts and mental health courts supervised a total of 1,498 offenders, including those who were under supervision at the start of the year plus new participants who entered a drug court or mental health court during the year. Collectively, mental health courts and adult and juvenile drug courts supervised an average of 806 offenders each month.

PRISON-RELATED IMPACTS

910 of the adult offenders supervised by drug and mental health courts were charged with *felony* offenses and faced a prison sentence if not supervised in the community through drug court or mental health court. Of these felony defendants, 728 (77%) either remained in drug court or mental health court at the end of the year, or successfully met all requirements and graduated. This represents a significant number of offenders who were managed in the community rather than being sentenced to prison and provided real cost savings to Idaho taxpayers.

MENTAL HEALTH COURTS BUILDING ON EARLY SUCCESS

Idaho has become a model for development of mental health courts across the country, particularly for rural jurisdictions. Idaho Mental Health courts demonstrate the effectiveness of connecting Assertive Community Treatment, a longstanding evidence-based treatment for severe and persistent mental illness, with effective probation supervision and continuing judicial involvement. Based on this success, the Bonneville County Mental Health Court is a finalist to become a *national learning site*, through the Council of State Governments and U.S. Department of Justice, for mental health courts nationwide. As an additional acknowledgement, Judge Brent Moss was awarded the 2005 Kramer Award for Excellence in Judicial Administration for his leadership in the creation and ongoing achievements of the state's first mental health court.

Mentally ill offenders frequently experience an increase in the symptoms of their mental illness when incarcerated. Whether in jail or prison, they represent a major liability and significantly greater management costs to counties or to the state. Repeat psychiatric hospitalizations are a very costly form of treatment. To address these concerns, mental health courts are operating in six of the seven Judicial Districts at the end of 2005. Mental health court capacity has grown from 50 participants at the start of 2005 to a combined capacity of 105 participants by year-end. It is

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anticipated that these courts will achieve the cost savings found in the 7th District Mental Health Court where participants reduced their jail days by 84% and their psychiatric hospital days by 98% compared with the year before entering mental health court.

FAMILIES AND METH — BREAKING THE CYCLE OF ADDICTION

It often seems that children bear a disproportionate impact of Idaho's methamphetamine epidemic, including drug-affected births, injuries, serious neglect, and outright abuse. **Drug courts offer a meaningful alternative.** Drug courts began compiling statewide data on births to their female offenders in July 2003. Since that time a total of 77 drug-free babies were born to women participating in drug court with 40 babies born just in the past year. These mothers curtailed or eliminated drug use during a substantial period of their pregnancy and were able to properly care for their baby after its birth. By any evaluation measure, these drug-free births add up to major savings for Idahoans. In addition, Bonneville county continues to pilot a successful Child Protection Drug Court. This court manages and treats drug-addicted parents who have a child abuse or neglect case and supervised 18 parents in 2005, with seven of these parents graduating and being reunited with their families.

OTHER OUTCOMES

There were 387 graduates from Idaho drug and mental health courts during the past year, up from 347 graduates in 2004. A total of 1,363 offenders have graduated from drug and mental health courts since they were established in 1998. Each graduate represents a significant reduction in the likelihood of future crime and a clear increase in productive citizenship. For example, data collected through November 2005 in the Ada County Drug Court demonstrates one economic impact of successful drug court participation. Of the Ada County Drug Court graduates, only 43% were employed when they began drug court. However, 96% were employed at the time of their graduation. The graduates demonstrated an overall average wage increase of \$ 6.15 per hour or \$12,792 per year.

FURTHER EVALUATION

In addition to regular drug and mental health court data collection efforts, an independent evaluation of Idaho drug courts has been ongoing for the past four years and is continuing. Dr. Edward J. Latessa and Dr. Shelley Johnson Listwan are analyzing data from Idaho drug courts to determine outcomes and to assess operational compliance with effective practices.

In 2003, an outcome evaluation of the two Idaho drug courts which had sufficient longitudinal data (Ada and Kootenai counties) was published. Using a matched comparison group of similar offenders, each drug court demonstrated a reduction in criminal recidivism (re-arrests) over a follow-up period of over two years.

Re-arrests for:	All Participants	Graduates	Comparison Group
Ada County	38%	19%	63%
Kootenai County	41%	20%	53%

Statewide data compilation begins in early 2006 to analyze the characteristics of Idaho felony drug court offenders, to measure their recidivism and other indicators, and to compare them to a matched comparison group of offenders not participating in drug courts. We anticipate preliminary results by December 2006.

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JUVENILE DRUG COURTS SHOW PROMISE

Since the inception of Juvenile drug courts in Idaho there have been 175 graduates with 42 graduates in 2005. Juvenile drug courts supervised 248 young offenders in the past year, with an average of 125 juveniles per month. This community sentencing alternative is showing promise in nine Idaho communities in five judicial districts, including one dedicated juvenile meth court. In 2005, *Statewide Guidelines for Effectiveness and Evaluation* were adopted for juvenile drug courts by the Statewide Drug Court and Mental Health Court Coordinating Committee. A process evaluation of Idaho Juvenile Drug Courts was also completed in 2005, paving the way for targeted program improvement efforts, as well as for implementing an outcome evaluation in 2007.

FORGING EFFECTIVE PARTNERSHIPS

Drug courts and mental health courts are only as strong as the foundation of partnerships upon which they are built. Many **county probation departments** across the state provided critically important support including offender supervision and drug court coordination services to the adult misdemeanor drug courts and to the juvenile drug courts. Despite growing state probation caseloads, the **Idaho Department of Correction** expanded its support for drug courts and mental health courts to assure close community monitoring and accountability of participating offenders. In addition, department staff joined with other drug court team members in training events and worked to assure the accuracy of the criminogenic risk assessments by which drug court and mental health court participation is determined. The **Idaho Department of Health and Welfare Substance Abuse Program** dedicated countless hours to managing treatment services, expanding recovery support services, supporting professional training and other treatment improvement efforts while the **State Mental Health Program** provided extensive support in the selection, implementation, and staff training of the new mental health courts. The Department's **Regional Mental Health Centers** undertook the development and delivery of treatment to mental health court offenders. Finally, no drug or mental health court could operate, much less succeed, without the committed partnership of the **community-based treatment agencies**. Their willingness to come together with other professionals as a team effort is an essential ingredient for any drug or mental health court.

MEETING THE NEED

All Idaho judicial districts are willing to expand drug courts and mental health courts to meet the needs in their communities, including additional courts to serve more of the mentally ill, drinking drivers, and drug dependent families who are unable to properly care for their children. While the 2005 expansion in revenue to the dedicated fund provides a stable basic foundation for current drug and mental health court operations, increased numbers of offenders could be supervised if additional court supervision and treatment funds were available. Idaho drug courts and mental health courts remain a positive and cost-effective sentencing alternative, an effort of which all three branches of government, Idaho policymakers, and citizens can be proud. Idaho has achieved growing national recognition for its drug and mental health court leadership. In the face of increasingly complex and growing caseloads, drug and mental health court judges have stepped forward with commitment and compassion. They stand ready to move ahead as additional resources and new tools are available.

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NATIONAL EVIDENCE ON EFFECTIVENESS

In February 2005, the U.S. Government Accountability Office (GAO) published an extensive review of drug court research, which concluded that most adult drug court programs evidenced:

- Lower re-arrest and conviction rates for drug court participants than comparison group members.
- Fewer recidivism events for drug court participants than comparison group members.
- Recidivism reductions for participants who had committed various categories of offenses.
- Recidivism reductions that were maintained for substantial intervals of time after the participants had completed the drug court program.
- Positive cost/benefit/ratio for the drug court participants.

Additional information is available on the Supreme Court website at www.isc.idaho.gov.

If you have questions or need additional information please contact:

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